

of the product reported under this subpart.

(4) Carbon share measurement.

(i) Reporters shall test for carbon share using an appropriate standard method published by a consensus-based standards organization.

(ii) If a standard method that involves gas chromatography is used to determine the percent mass of each component in a product, the molecular formula for each component shall be obtained from the information provided in the standard method and the atomic mass of each element in a given molecular component shall be obtained from the periodic table of the elements.

(iii) The carbon share value for a given petroleum product shall be generated by either making a physical composite of all of the samples collected for the reporting year and testing that single sample or by measuring the individual samples throughout the year and defining the representative carbon share value for the sample set by numerical means, i.e., a mathematical composite. If a physical composite is chosen as the option to obtain the carbon share value, the reporter shall submit each of the individual samples collected during the reporting year to the laboratory responsible for generating the composite sample.

(iv) For physical composites, the reporter shall handle the individual samples and the laboratory shall mix them in accordance with an appropriate standard method published by a consensus-based standards organization.

(d) Measurement of API gravity and sulfur content of crude oil.

(1) A representative sample or multiple representative samples of each batch of crude oil shall be taken according to one of the following methods. You may use an appropriate standard method published by a consensus-based standards organization or you may use an industry standard practice.

(2) Samples shall be handled according to one of the following methods. You may use an appropriate standard method published by a consensus-based standards organization or you may use an industry standard practice.

(3) API gravity shall be measured according to one of the following meth-

ods. You may use an appropriate standard method published by a consensus-based standards organization or you may use an industry standard practice. The weighted average API gravity for each batch shall be calculated by multiplying the volume associated with each representative sample by the API gravity, adding these values for all the samples, and then dividing that total value by the volume of the batch.

(4) Sulfur content shall be measured according to one of the following methods. You may use an appropriate standard method published by a consensus-based standards organization or you may use an industry standard practice. The weighted average sulfur content for each batch shall be calculated by multiplying the volume associated with each representative sample by the sulfur content, adding these values for all the samples, and then dividing that total value by the volume of the batch.

(5) All measurements shall be temperature-adjusted and pressure-adjusted to the conditions assumed for determining the quantities of crude oil reported under this subpart.

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 66477, Oct. 28, 2010]

**§ 98.395 Procedures for estimating missing data.**

(a) *Determination of quantity.* Whenever the quality assurance procedures in § 98.394(a) cannot be followed to measure the quantity of one or more petroleum products, natural gas liquids, types of biomass, feedstocks, or crude oil batches during any period (e.g., if a meter malfunctions), the following missing data procedures shall be used:

(1) For quantities of a product that are purchased or sold, a period of missing data shall be substituted using a reporter's established procedures for billing purposes in that period as agreed to by the party selling or purchasing the product.

(2) For quantities of a product that are not purchased or sold but of which the custody is transferred, a period of missing data shall be substituted using a reporter's established procedures for tracking purposes in that period as agreed to by the party involved in custody transfer of the product.

(b) *Determination of emission factor.* Whenever any of the procedures in § 98.394(c) cannot be followed to develop an emission factor for any reason, Calculation Methodology 1 of this subpart must be used in place of Calculation Methodology 2 of this subpart for the entire reporting year.

(c) *Determination of API gravity and sulfur content of crude oil.* For missing data on sulfur content or API gravity, the substitute data value shall be the arithmetic average of the quality-assured values of API gravity or sulfur content in the batch preceding and the batch immediately following the missing data incident. If no quality-assured data are available prior to the missing data incident, the substitute data value shall be the first quality-assured values for API gravity and sulfur content obtained from the batch after the missing data period.

**§ 98.396 Data reporting requirements.**

In addition to the information required by § 98.3(c), the following requirements apply:

(a) Refiners shall report the following information for each facility:

(1) For each petroleum product or natural gas liquid listed in table MM-1 of this subpart that enters the refinery to be further refined or otherwise used on site, report the annual quantity in metric tons or barrels by each quantity measurement standard method or other industry standard practice used. For natural gas liquids, quantity shall reflect the individual components of the product.

(2) For each petroleum product or natural gas liquid listed in Table MM-1 of this subpart that enters the refinery to be further refined or otherwise used on site, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.

(3) For each feedstock reported in paragraph (a)(2) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(2) of this section that is petroleum-based (excluding any denaturant that may be present in any ethanol product).

(4) Each standard method or other industry standard practice used to measure each quantity reported in paragraph (a)(1) of this section.

(5) For each petroleum product and natural gas liquid (ex refinery gate) listed in Table MM-1 of this subpart, report the annual quantity in metric tons or barrels by each quantity measurement standard method or other industry standard practice used. For natural gas liquids, quantity shall reflect the individual components of the product. Petroleum products and natural gas liquids that enter the refinery, but are not reported in (a)(1), shall not be reported under this paragraph.

(6) For each petroleum product and natural gas liquid (ex refinery gate) listed in Table MM-1 of this subpart, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product. Petroleum products and natural gas liquids that enter the refinery, but are not reported in (a)(2), shall not be reported under this paragraph.

(7) For each product reported in paragraph (a)(6) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(6) of this section that is petroleum-based (excluding any denaturant that may be present in any ethanol product).

(8) Each standard method or other industry standard practice used to measure each quantity reported in paragraph (a)(5) of this section.

(9) For every feedstock reported in paragraph (a)(2) of this section for which Calculation Methodology 2 of this subpart was used to determine an emissions factor, report:

(i) The number of samples collected according to § 98.394(c)

(ii) The sampling standard method used.

(iii) The carbon share test results in percentmass.

(iv) The standard method used to test carbon share.

(v) The calculated CO<sub>2</sub> emissions factor in metric tons.